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Our ref: FOI2015/08296

28 May 2015

Dear **Redacted**

RE: Freedom of Information Request

Thank you for your email of 29 March in which you asked for the following:

“ A report, [The Governance of Britain- Review of the Executive Royal Prerogative Powers](#), was published in 2009 with a list at the back of all the Royal Prerogative powers used in various government departments (pages 30-34).

Please can you tell me, pertaining to DECCS:

- 1. Is the RP still used in the Department?*
- 2. How is it used?*
- 3. How many times has it been used for the periods between 2000 - 2010, and 2010 - present April 2015.”*

While your enquiry appears to be a general enquiry rather than a request for recorded information, we assume that you wished it to be treated as a Freedom of Information request. We have therefore assumed that your enquiry is for information recorded in any form on the matters outlined in your 3-part question.

Under the Freedom of Information Act 2000 ('the Act'), you have the right to:

- know whether we hold the information you require
- be provided with that information (subject to any exemptions under the Act which may apply).

From our preliminary assessment, it is clear that we will not be able to answer your request without exceeding the cost limit of £600 provided under s12 of the



Department of Energy & Climate Change

Freedom of Information Act ('the Act'). This represents the estimated cost of one person spending 3.5 working days in determining whether the Department holds the information, locating, retrieving and extracting the information. The Act provides that we are not obliged to comply with requests where the estimated cost of complying would exceed this limit.

In order to provide you with the information on the scale you have requested would require a search of all files and email records of all officials and DECC ministers' offices across the Department since October 2008, when DECC came into existence. This is because the information you have requested is not held centrally.

We estimate that it will take us considerably more than 3.5 working days to determine appropriate material and locate, retrieve, extract and assess the information in reference to your request. Therefore, your request will not be processed further at this time.

Should you still be intent on pursuing this as a general enquiry rather than an FOI request, you may wish to be aware of the following:

You may wish to refine your request by narrowing its scope by being more specific about what information you particularly wish to obtain. We would advise that you will need to substantially reduce the scope of your request to bring it within the cost limit. You may wish to consider revisiting the period of time relevant to the information required. You could also focus on a specific policy area of the department. The following link provides details of our structure and the policy areas we cover –

<https://www.gov.uk/government/organisations/department-of-energy-climate-change>

The following link provides details of information the department has released in response to previous FOI requests –

https://www.gov.uk/government/publications?departments%5B%5D=department-of-energy-climate-change&publication_type=foi-releases

We would be happy to consider any refined request that is within the cost limit. However, it is our estimation that, regardless of how you refine your request, the cost limit will still be exceeded.

Appeals procedure

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the Information Rights Unit (foi@decc.gsi.gov.uk).



Department
of Energy &
Climate Change

Information Rights Unit (DECC Shared Service)
Department for Business, Innovation & Skills
1 Victoria Street
London
SW1H 0ET

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,

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